

TOP SECRET

Executive Registry

85- 1262/1

22 March 1985

MEMORANDUM FOR: Director, Office of Scientific and Weapons Research, DI

FROM: Executive Secretary

25X1

SUBJECT: Request for National Security Council Documents

1. At Tab A you will find a memorandum to me from Bob Kimmitt, Executive Secretary to the National Security Council, referring a C/STD/OSWR request for NSC documents to me for action.

2. At Tab B you will find a copy of the documents requested. (Should you have a need for documents such as this in the future, you might save time--as in this case--by having your people check with Executive Registry first. These particular documents had been retired, but we were able to get them from the Records Center in just a few days.)

25X1

Attachments:
As stated

*Hope these will help. Please let
me know if you need anything else.*

25X1

Downgrade this Memorandum to ADMINISTRATIVE INTERNAL USE ONLY when separated from attachments.

DCI
EXEC
REG

TOP SECRET

L288

UNCLASSIFIED
WITH SECRET
ATTACHMENT

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 15, 1985

0287

Executive Registry

85- 1262

STAT

MEMORANDUM FOR

[redacted]
Executive Secretary
Central Intelligence Agency

STAT

SUBJECT: Request for National Security Council Documents

This is in response to a letter of January 25, 1985, [redacted]
[redacted] (attached), requesting three NSC documents.

We have determined that the DCI was an addressee on all three documents, and we assume you have them. As you know, it is not our policy to provide documents to internal agency offices. STAT

We have no objection to the Science and Technology Division having access to the documents, based upon an established need to know, but the decision is, of course, yours.

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

Attachment

UNCLASSIFIED
WITH SECRET
ATTACHMENT

Central Intelligence Agency



Washington, D.C. 20505

25 JAN 1985

Mr. Robert M. Kimmitt
Executive Secretary
National Security Council
Room 372 EOB
Washington, D.C.

Dear Mr. Kimmitt:

We are seeking to obtain several old NSC documents to support ongoing studies of chemical and biological warfare policies. I request your assistance in procuring the following:

- NSSM 59: US Policy on Chemical and Biological Warfare Agents, dated May 28, 1969
- NSDM 35: US Policy on Chemical Warfare and Bacteriological/Biological Research Program, dated November 25, 1969
- NSDM 279: Geneva Protocol of 1925 and Riot Control Agents and Chemical Herbicides, dated November 2, 1974. 25X1

Thank you for your assistance.



Chief
Science & Technology Division/OSWR

25X1



SECRET

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

May 28, 1969

Declassified by NSC
Memo of 18 Sep 75,
NSC # 6129

~~SECRET~~

Executive Registry

6.9.2838

National Security Study Memorandum 59

TO: The Secretary of State
The Secretary of Defense
The Director of Central Intelligence
The Special Assistant to the President for Science
and Technology
The Director, United States Arms Control and
Disarmament Agency

SUBJECT: U.S. Policy on Chemical and Biological Warfare
and Agents

The President has directed a study of U.S. policy, programs and operational concepts with regards to both chemical and biological warfare and agents.

The study should examine present U.S. policy and programs on CBW, the main issues confronting that policy, and the range of possible alternatives thereto. The analysis should delineate (1) the nature of the threat to the U.S. and its Allies and possible alternative approaches in meeting this threat; (2) the utility of and circumstances for possible employment of chemical and biological agents, both lethal and incapacitating; (3) the operational concepts relating to possible use, testing and stockpiling; (4) the research and development objectives; (5) the nature of and alternative approaches to the distinction between lethal and non-lethal chemical and biological agents, including a review of current applications of U.S. policy relating to non-lethal agents such as chemical riot control agents and chemical defoliants; and (6) the U.S. position on arms control, including the question of the ratification of the Geneva Protocol of 1925.

The study should include consideration of the effects upon U.S. international posture in general and upon relationships with Allies

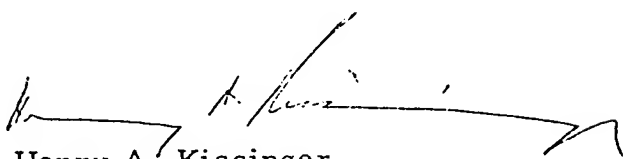
~~SECRET~~NSM 59
O C I

~~SECRET~~

in particular; of the relevant legal questions; of the various cost factors; and of the environmental control and public affairs aspects of U.S. policy.

The President has directed that the NSC Political-Military Group perform this study and that the addressees be included in the PMG for purposes of this study. The President has authorized the PMG to establish the necessary subgroups for special or technical aspects of this study.

The report of this Group should be forwarded to the NSC Review Group by September 5, 1969.



Henry A. Kissinger

cc: Chairman, The Joint Chiefs of Staff

~~SECRET~~

Executive Registry

75-11,484

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20505

6129

September 18, 1975.

MEMORANDUM FOR:

RECIPIENTS OF NSDM 44
RECIPIENTS OF NSSM 59
RECIPIENTS OF NSSM 85

SUBJECT: Declassification of NSDM 44,
NSSM 59 and NSSM 85

Effective September 15, 1975, NSDM 44, NSSM 59
and NSSM 85 have been declassified.

J. W. Davis
Jeanne W. Davis
Staff Secretary

NSSM 59

CONTROL AND COVER SHEET FOR TOP SECRET DOCUMENT (COLLATERAL)

25X1

(40)

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 25, 1969

TOP SECRET/NODIS

National Security Decision Memorandum 35

TO: The Vice President
 The Secretary of State
 The Secretary of Defense
 The Director, Central Intelligence Agency
 The Director, Arms Control and Disarmament Agency
 The Director, Office of Emergency Preparedness
 The Director, Office of Science and Technology

SUBJECT: United States Policy on Chemical Warfare Program
 and Bacteriological/Biological Research Program

Following consideration by the National Security Council, the President has decided that:

1. The term Chemical and Biological Warfare (CBW) will no longer be used. The reference henceforth should be to the two categories separately -- The Chemical Warfare Program and The Biological Research Program.
2. With respect to Chemical Warfare:
 - a. The objective of the U. S. program will be to deter the use of chemical weapons by other nations and to provide a retaliatory capability if deterrence fails.
 - b. The renunciation of the first use of lethal chemical weapons is reaffirmed.
 - c. This renunciation is hereby applied to incapacitating chemical weapons as well.
 - d. This renunciation does not apply to the use of riot control agents or herbicides. A special NSDM on authorization for their use will be issued.

TOP SECRET/NODIS

NSDM 35
105

TOP SECRET/NODIS

- 2 -

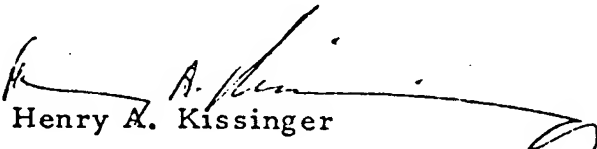
- e. The Administration will submit the Geneva Protocol of 1925, "Protocol for the Prohibition of the use in War of Asphyxiating Poisonous or Other Gases, and of Bacteriological Methods of Warfare," to the Senate for its advice and consent to ratification. An appropriate interpretive statement will be prepared by the Department of State in coordination with the Department of Defense to the effect that the United States does not consider that the Protocol prohibits the use of chemical herbicides or riot control agents, widely used domestically, in war. The statement will be unilateral in form and will not be a formal reservation.
 - f. Existing overseas stockpiles of chemical weapons can be maintained except in Okinawa without additional consultation. If the matter is raised by the FRG, we will agree to consultations about the future of stockpiles located in Germany.
 - g. The Secretary of Defense, in cooperation with the Director of the Office of Science and Technology, shall continue to develop and improve controls and safety measures in all Chemical Warfare programs.
 - h. The Director of Central Intelligence shall continue to maintain surveillance of the Chemical Warfare capabilities of other states.
 - i. The Under Secretaries Committee shall conduct an annual review of United States Chemical Warfare programs and public information policy, and will make recommendations to the President.
3. With respect to Bacteriological/Biological programs:
- a. The United States will renounce the use of lethal methods of bacteriological/biological warfare.
 - b. The United States will similarly renounce the use of all other methods of bacteriological/biological warfare (for example, incapacitating agents).

TOP SECRET/NODIS

TOP SECRET/NODIS

- 3 -

- c. The United States bacteriological/biological programs will be confined to research and development for defensive purposes (immunization, safety measures, et cetera). This does not preclude research into those offensive aspects of bacteriological/biological agents necessary to determine what defensive measures are required.
- d. The Secretary of Defense will submit recommendations about the disposal of existing stocks of bacteriological/biological weapons.
- e. The United States shall associate itself with the principles and objectives of the Draft Convention Prohibiting the Use of Biological Methods of Warfare presented by the United Kingdom at the Eighteen-Nation Disarmament Conference in Geneva, on 26 August 1969. Recommendation as to association with specific provisions of the Draft Convention should be prepared by the Secretary of State and the Director of the Arms Control and Disarmament Agency, in coordination with other interested agencies, for the President's consideration.
- f. The Secretary of Defense, in conjunction with the Director of the Office of Science and Technology, shall continue to develop controls and safety measures in all bacteriological/biological programs.
- g. The Director of the Central Intelligence Agency shall continue to maintain surveillance of the bacteriological/biological warfare capabilities of other states.
- h. The Under Secretaries Committee shall conduct an annual review of United States Bacteriological/Biological Research Programs and public information policy, and will make recommendations to the President.


Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff

TOP SECRET/NODIS

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

Executive Registry

74-7681

CONFIDENTIAL/LIMDIS/GDS

November 2, 1974

National Security Decision Memorandum 279

TO: The Secretary of Defense
The Deputy Secretary of State
The Director, Arms Control and Disarmament Agency

SUBJECT: Geneva Protocol of 1925 and Riot Control Agents and
Chemical Herbicides

The President has reviewed the interagency report on the riot control agents and chemical herbicides issue and the Geneva Protocol of 1925 and associated agency views.

The President considers it important that the United States ratify the Geneva Protocol.

The President is therefore prepared, in reaffirming the current U.S. understanding of the scope of the Protocol, to renounce as a matter of national policy (1) first use of herbicides in war except use, under regulations applicable to their domestic use, for control of vegetation within U.S. bases and installations or around their immediate defensive perimeters, and (2) first use of riot control agents as an offensive weapon of war to facilitate or increase casualties.

The President wishes, however, to preserve the option to use riot control agents in riot control circumstances (to include controlling rioting prisoners of war), in situations where civilian casualties can be reduced or avoided, in rescue missions, and in defensive military modes to save lives. The requirements regarding authorization for use of these agents in war, set forth in NSDM 78 on August 11, 1970, remain in effect.

Prior to deciding to take this step, however, the President has directed that the Director of the Arms Control and Disarmament Agency, in consultation with the Departments of State and Defense, promptly undertake the necessary discussions with key Senators with the aim of achieving

CONFIDENTIAL/LIMDIS/GDS

EXECUTIVE REGISTRY FILE NSDM 279

CONFIDENTIAL/LIMDIS/GDS

2

Senate advice and consent to ratification of the Geneva Protocol at the earliest possible date. These consultations should include the aim of achieving favorable Senate action on the Biological Weapons Convention at the earliest possible date.

Both the fact and nature of the foregoing decisions should be closely held prior to a report to the President on the completed consultations and his approval of a public statement. This report should include consideration of providing prior notification of U.S. intentions to those allies which have taken a view similar to that of the U.S. regarding the interpretation of the Geneva Protocol.


Henry A. Kissinger

cc: The Director of Central Intelligence
The Chairman, Joint Chiefs of Staff

E3

CONFIDENTIAL/LIMDIS/GDS